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July 29, 2021

Via ECF

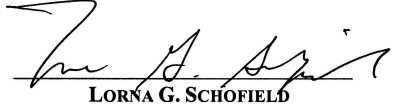
Hon. Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
(212) 805-0288

Defendants sealing application is GRANTED for substantially the reasons stated in Defendants' letter. The materials at docket numbers 96, 97, 98 and 99 shall remain under seal with access limited to the parties listed in the appendix at docket number 95. Defendants shall file the redacted documents on the public docket by **August 11, 2021**.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 95.

Dated: August 4, 2021
New York, New York

Re. *Sankalp Bhatnagar v. Parsons School of Design and the New School*
Case no. 20-cv-2321 (LGS)


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dear Judge Schofield,

In accord with the Court's Order of July 22, 2021, docket no. 102, this letter identifies specific portions of Defendant's reply memorandum and supporting papers that contain sensitive, confidential information. Proposed redactions are attached and outlined below and have been placed using the three-part test outlined in *Lugosch v. Pyramid Co.*, 435 F.3d 110, 119-120 (2d Cir. 2006), which provides that the court:

- (1) determine whether the documents are judicial documents and a common law presumption of access attaches;
- (2) determine the weight of the presumption of access; and
- (3) balance the presumption of access against competing considerations such as impairment of law enforcement, judicial efficiency, and the privacy interests of those resisting disclosure.

In this case, redactions are appropriate in the following instances because the redacted portions of the documents contain protected health information in which Plaintiff has a strong privacy interest as outlined in Plaintiff's letter of July 14, 2021.

Defendant's Response to Additional Alleged Facts Pursuant to Rule 56.1

- Statement 10
- Response to Statement 10

Defendant's Reply Memorandum of Law

Page 2

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- Page 6, first full paragraph, 3rd sentence

Likewise, the following redaction of a student's name is appropriate based on the privacy interests of graduate students at Parsons School of Design who are not parties to this lawsuit and whose personally identifiable education records are barred from disclosure under the Family Educational Rights and Privacy Act. Students' names were redacted from the document production during discovery; however, upon further review, the following additional redaction of a student's name is required.

Exhibit 43 Other Students

- Page 1, student name

The few redactions requested by Defendant are tailored to protect the interests outlined in *Lugosch*, and Defendant submits that the Court's motion may be decided without direct reference to the names of other Parsons' graduate students or particularized references to Plaintiff's protected health information.

Respectfully submitted,

BOND, SCHOENECK & KING, PLLC

A handwritten signature in black ink, reading "Michael P. Collins". The signature is written in a cursive, flowing style.

Michael P. Collins

Encl.

cc: Counsel of record